

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT BRANDON CALLISON,

Defendant.

CR 20–50–M–DLC

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered her Findings and Recommendation Concerning Plea on March 31, 2021. (Doc. 35.) As neither party objected, they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge DeSoto recommends that the Court accept Robert Brandon Callison’s guilty plea after Callison appeared before her pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of receipt of child pornography, in violation of 18 U.S.C. § 2252(a)(2), and one count of distribution

of methamphetamine to a person under the age of 21 in violation of 18 U.S.C. §§ 841(a)(1) and 859, as set forth in the Superseding Information. (*See* Doc. 27.)

Finding no clear error, IT IS ORDERED that the Court ADOPTS the Findings and Recommendation (Doc. 35) IN FULL.

IT IS FURTHER ORDERED that Robert Brandon Callison's motion to change plea (Doc. 25) is GRANTED, and Robert Brandon Callison is adjudged guilty as charged in Counts I and II of the Superseding Information.

DATED this 15th day of April, 2021.



Dana L. Christensen, District Judge
United States District Court